



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/874,409	06/04/2001	Shell S. Simpson	10007653-1	5600

7590 02/10/2004

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

HANNE, SARA M

ART UNIT	PAPER NUMBER
----------	--------------

2173

DATE MAILED: 02/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicant(s)

09/874,409

Examiner

Sara M Hanne

Applicant(s)

SIMPSON ET AL.

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 June 2001 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.

- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

BA HUYNH
PRIMARY EXAMINER

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. Claims 1-5, 7-9, 12 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by McKnight et al., US Patent 6670974. As in Claim 1, McKnight et al. teaches a system that provides a history list of existing imaging compositions ("a usage history is communicated in a chronological order", Column 4, lines 43-44) linked to imaging data serviced as a single unit (Column 9, lines 61-67) that can be later retrieved by the user associated with the history list ("A user may access information contained in a representation) where there is a imaging repository with a composition store used for storing the list and compositions ("saved usage contexts may be stored and selectively accessed on a user's information handling system", Column 3, lines 3-5). McKnight et al. further teaches the composition store to be an exchange infrastructure between the image data and web services that are available ("store web browsing contexts for later user even after the web browsing session has terminated.", Column 3, lines 1-3).

As in Claim 2, McKnight et al. teaches associating a user profile with the image (view function 512 and properties function 810, Columns 7 et. seq.).

As in Claim 3, McKnight et al. teaches each imaging data in the composition to be indicated by a Uniform Resource Locator ("the number of links contained in the item of usage 1216 as well as to what those links pertain, such as a link to a file transfer protocol site 1218", Column 9, lines 64-67).

As in Claim 4, McKnight et al. teaches an imaging data store in the repository for storing the imaging data ("a default load control 158 may be utilized to set the default

load, such as live or stored. ... a stored version contained on the user's system", Column 5, lines 16-20).

As in Claim 5, McKnight et al. teaches the imaging data to be stored in several file formats ("Adobe® Photoshop® 1024, sound file 1026, home page 1028 or any other application may be generated to correlate the relevant item of usage.", Column 8, lines 53-56).

As in Claim 7, McKnight et al. teaches a file format of at least pdf and jpeg (Adobe® Photoshop® supports image file types).

As in Claims 8 and 9, McKnight et al. teaches the composition store to receive and save new image compositions in the composition store and add them to the history list ("The method of generating a persistent usage context includes monitoring the navigation of a resource during a first navigation session to obtain navigation data and storing navigation data", Column 2, lines 58-62).

As in Claims 12 and 16, McKnight et al. teaches a method and computer program product with a usable medium and codes for providing a history list of existing imaging compositions with links to imaging data serviced as a single unit that can be later retrieved by the user associated with the history list where there is a imaging repository with a composition store used for storing the list as seen in the Claim 1 rejection *supra*. McKnight et al. further teaches receiving new image compositions from the network and saving them in the composition store, adding them to history list ("representations may be generated indicating an Adobe® Photoshop® image 1108, received 1110, and then stored on a drive 1112", Column 9, lines 37-39), and providing

the list to the user associated with the repository in response to a request for the list (Figure 15, reference 1502, the History Button).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 6, 10, 11 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over McKnight et al., US Patent 6670974.

McKnight et al. teaches a system and method for creating a history list of saved imaging compositions that is adapted as new sites are accessed or files opened as seen *supra*.

In reference to Claim 6, McKnight et al. fails to teach a converter in the repository for converting the imaging data to any of the file imaging formats. However it is well known in the art for to convert data to an appropriate imaging format (See further US Patent 5903889, Figure 5d and Column 9, lines 1-6). It would be obvious to one of ordinary skill in the art to have a converter in the imaging repository to convert the images to a different type to be compatible with the user workstation. One would have been motivated to make such a combination because a way for accessing data types that the system is unfamiliar with would have been obtained.

In reference to Claims 10, 11 and 14, McKnight et al. fails to teach having a predefined maximum number of composition and deleting the oldest composition when the maximum has been met as recited in the claims, however this limitation is well known (See further US Patent 6049812, Column 2 lines 32-49). It would be obvious to one of ordinary skill in the art to monitor the number of compositions in the history list and delete the oldest if a maximum has been met in order to have a limited list where the most recent information will be upheld and the oldest may be purged. One would have been motivated to make such a combination because a history list monitoring method that follows system and memory constraints in the most useful way would have been obtained.

McKnight et al. teaches, as seen *supra*, the user making a connection to the composition store, sending a new composition to the composition store, as recited in Claim 13, and opening the history list, as recited in Claim 15. However, they fail to teach returning an error if the connection is not successful. Displaying an error message when a connection is unsuccessful is well known. It would be obvious to one of ordinary skill in the art to return an error to the browser if the connection is not successfully made and continuing on with the user's request if the connection is successfully made. One would have been motivated to make such a combination because a history list monitoring method for indicating successful or non-successful connection status would have been obtained.

Conclusion

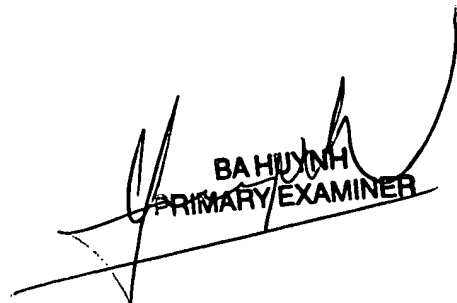
The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach similar history list creation methods and image formatting/conversions.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sara M Hanne whose telephone number is (703) 305-0703. The examiner can normally be reached on M-F 7:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-5484.

smh


BAHUYNH
PRIMARY EXAMINER